

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: BEERS, Scott et al.

Serial No.: 10/626,155

Art Unit: Not yet Assigned

Filed

: July 24, 2003

Examiner: Not yet Assigned

For

: Acetylenic Compounds Useful In Treating

Inflammatory Disorders

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S/18/04 (Date of Deposit)

Matthew B. Zisk, Reg. No. 45,257 (Name of applicant, assignee, or Regulatored Representative)

(Signature)

3/17/04

(Date of Signature)

Commissioner for Patents Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on October 17, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Docket No. PRD 0022

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

In ac	ccordance with \$1.129(a), this Information
Disclosure Stat	ement is being filed in connection with \square the
first or □seco	nd After Final Submission, therefore:
	Statement in Accordance with §1.97(e) (attached);
	or
	Please charge Deposit Account No. 10-
	0750/ / the fee of $$180.00$ as set forth in
	\$1.17(p).

Docket No. PRD 0022

☐ In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in \$1.97(b) above but before the mailing date of either a Final
Action under §1.113 or a Notice of Allowance under §1.311, or
induction and ground of a month of the manner ground, on
an action that otherwise closes prosecution and that it is
accompanied by one of:
Statement in Accordance with \$1.97(e) (attached);
or
☐ Please charge Deposit Account No. 10-
0750/ / the fee of $$180.00$ as set forth in
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·
☐ In accordance with §1.97(d), this Information
Disclosure Statement is being filed after the mailing date of
either a Final Action under §1.113 or a Notice of Allowance
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Applicant(s) hereby petition(s) for consideration of this
Information Disclosure Statement. Included are: Statement in
Accordance with \$1.97(e) as set forth below and the fee of
\$180.00 as set forth in \$1.17(p).
○ Copies of each of the references listed on the
-
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTO-
1449 are enclosed herewith EXCEPT THAT:
1445 die enerosed herewich Excell imit.
☐ In view of the voluminous nature of references
[list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.

Docket No. PRD 0022

	If any of the foregoing publications are not
	available to the Examiner, Applicant will
	endeavor to supply copies at the Examiner's
	request.
\boxtimes	There are no listed references which are not in the
English la	nguage.
	The relevance of those listed references which are not
in the Eng	lish language is as follows:
	Attached are copies of search report(s) from

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

corresponding patent application(s), which are listed on the

attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD 0004-PCT/MZ. This form is submitted in triplicate.

Respectfully submitted,

Matthew B. Zisk Reg. No. 45, 257

Attorney for Applicants

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DATED: 3/17/04



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Approved for use through 10/31/2002. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

2	a collection of information unless it displays a	a collection of information unless it displays a valid OMB control number.				
1	Application Number	To be Assigned				
1	Filing Date	July 24, 2003				
	First Named Inventor	Scott Beers				
	Group Art Unit	Not yet assigned				
	Examiner Name	Not yet assigned				
	Attorney Docket Number	PRD 0022				

	U.S. Patent Document					
Examiner Initials	Cite No. ¹	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
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		Foreign Patent Document		Name of Bassack	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	Π
Examiner Initials	Cite No. ¹	Office ³	Number ⁴ KindC	Name of Patentee or Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T⁰
		wo	9504277	Sphinx Pharma Corp.	02-09-1995		
		EP	0551662	Bayer AG	07-21-1993		
		EP	0171209	McNeilab Inc.	02-12-1986		
		EP	0146271	McNeilab Inc.	06-26-1985		
		wo	0232435	AKL Technologies Ltd.	04-25-2002		

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Examiner	Dota	
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Signature	Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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SUBMISSION UNDER MPEP 609 D

Application Number	10/626,155
Filing Date	July 24, 2003
First Named Inventor	Beers, Scott
Group Art Unit	Not yet Assigned
Examiner Name	Not yet Assigned
Attorney Docket Number	PRD-0022

Page 1 of 1

			U.S. Patent Docum	ent	
Examiner Initials	Cite No.¹	Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear
	1 1				

Foreign Patent Document Pages, Columns, Lines, where relevant passages or relevant figures Name of Patentee or Examiner Initials Cite Applicant of Cited Document Number⁴ KindCode⁵ appear Office³ No.1 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), T² title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published Cite No.1 Examiner Initials* PCT International Search Report dated 07/24/2002 for PCT Appln. No. PCT/US 03/23140 which relates to U.S. Patent Appln. No. 10/626,155.

Examiner	Date	
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